

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:23-CV-845-RJC-DCK**

LEE S. JOHNSON,)	
)	
Plaintiff,)	<u>ORDER</u>
)	
v.)	
)	
LEXISNEXIS RISK SOLUTIONS, INC.,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on Defendant’s “Motion To Quash” (Document No. 35) filed July 10, 2024. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, and in the interests of judicial economy and efficient case management, the undersigned will grant the motion.

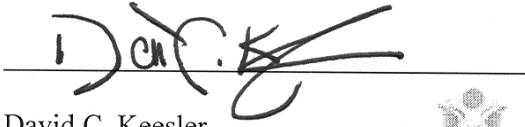
By the instant motion, Defendant seeks to quash a Subpoena demanding the production of certain emails and text messages. (Document No. 36, p. 2) (citing Document No. 36-1). Defendant contends that the requested documents are “privileged communications between LexisNexis Risk and its outside counsel.” *Id.* Defendant also states that *pro se* Plaintiff has “agreed to withdraw the subpoena”; however, Defendant “files this motion out of an abundance of caution.” *Id.*

The undersigned notes that the parties have not filed a Certificate of Initial Attorney’s Conference, and thus, no scheduling order has been entered in this matter. The Local Rules of this Court state in pertinent part that “Court-enforceable discovery does not commence until the issues have joined and a Scheduling Order has been entered.” LCvR 16.1(f).

IT IS, THEREFORE, ORDERED that Defendant's "Motion To Quash" (Document No. 35) is **GRANTED**. Defendant is not required to respond to Plaintiff's Subpoena (Document No. 36-1); however, the Court expresses no opinion at this time as to what documents may be discoverable at a later date after a Case Management Plan has been issued by the Court.

SO ORDERED.

Signed: July 12, 2024



David C. Keesler
United States Magistrate Judge

